

REMARKS

A number of claims were rejected under 35 U.S.C. 112 first and second paragraph. More specifically, the Examiner cited, “wherein the video data is not integrated with the content of the web page” as not being supported by the specification as grounds for the first paragraph rejection. The Applicant respectfully directs the Examiner’s attention to FIGs 3A – 3D and the accompanying descriptions thereof starting at page 9 line 10 extending through page 10 line 11 clearly describing a web page 302 having video area 304 that is separate and distinct from areas of the web page that display non-video web page content such as advertisement 320 and other text 322 shown in FIG. 3B. Therefore, the video area 304 although displayed on a web page does not include any **non-video content** (such as embedded text, etc.) since the specification clearly specifies only regions other than the video area 304 to display web page content (areas such as 322 and 320). Accordingly, the Applicant believes that the rejected claims are in fact supported by the specification and respectfully requests that the Examiner withdraw the 112 first paragraph rejection.

With regards to the second paragraph rejection, as above, the specification clearly distinguishes between those areas allocated for video content only (video area 304) and those allocated for non-video content (advertisement 320 and text 322). Accordingly, the Applicant believes that the rejected claims do particularly point out and distinctly claim the invention and respectfully requests that the Examiner withdraw the 112 second paragraph rejection.

A number of claims were rejected under 35 U.S.C. 103 as being unpatentable over U.S. Patent 6,163,316 issued to Killian that describes an electronic guide that operates on a computing platform associated with a television in view of U.S. Patent 6,177,931-B1 issued to Alexander. More specifically, Fig. 1 of Killian shows a JAVA based platform 12 that provides a collection of application programming interfaces (APIs) that allow platform 12 to synchronize and **integrate** (emphasis added) television signals and Internet information for display on television 40 (at column 3, lines 15 – 25). A video source in the form of a recorder controller (18) and/or tuner/decoder (24) that provides a video signal (28, 34) directly to one or more audio/video overlays 32 that are coupled to the platform 12 that coordinate the integration of television signals and Internet information in accordance with the operation of the platform 12. At column 5, lines 20 – 30, platform 12 retrieves the associated web page using Internet link 14 and audio/video overlays 32 integrate the web page, any appropriate VBI information received from the VBI decoder 28, and the television signal for the selected channel received from the tuner/decoder 24 according to the Java applet. *Therefore, the system described by Killian*

requires that ALL video data must be integrated with one or more of the audio/video overlays 32 (i.e. non-video content such as text) prior to be sent for display on the television 40 since there is no direct signal between the tuner/decoder 24, for example, and the television 40. In this way, Killian only provides a display having non-video type information such as text, or Internet related information that is *fully integrated with a TV signal* in the form of, for example, an electronic guide shown in Fig. 5 and does not teach or even remotely suggest having Internet related information displayed without being integrated with video data (see above). In order to display only video data on the display 40 there would have to be a direct link between the video decoder 24 and the television, which there clearly is not. More specifically, such data is only provided to the platform 12 by way of path 14 which is then fully synchronized and integrated with the video signal at audio/video overlays layer 32.

The Examiner also believes that Killian “inherently contains a PIP object and PIPinfo object which are utilized for the display and control of an EPG control panel” at page 2 third paragraph of the Office Action mailed January 16, 2003. The Applicant respectfully disagrees since Killian never mentions the use of a separate window to control the EPG, “a viewer associated with television 40 selects a particular channel for viewing using input device 42...” (at column 4 fourth paragraph).

The Examiner admits that, “Killian does not disclose the use of an applet where the video data is not integrated with the content of a web page” at page 2 third paragraph of the instant Office Action and therefore relies upon the Alexander reference to overcome this deficiency. Specifically, the Examiner refers to “display 10 with a video window 12 in which the video is not integrated with the displayed EPG content.” As discussed above with reference to Killian, *“ALL video data must be integrated with one or more of the audio/video overlays 32”* and therefore Alexander can not be used in combination with Killian since Alexander requires at least the video window 12 not be integrated with the EPG content which can not be accomplished using the system of Killian.

Therefore, not only does Killian in combination with Alexander not teach nor reasonably suggest the claimed limitation of “wherein the video data is not integrated with any non-video content of the web page” as required in claim 1 in any combination, the references can not be used together since the combination of Killian and Alexander would be inoperable since Killian requires all video and internet data be integrated and Alexander requires a video window separate from the internet data. Accordingly, the Applicant believes that claim 1 is not rendered unpatentable by the cite references and is therefore allowable. Additionally, referring to Fig. 3A of the application, the virtual

control panel 310 is used to control the video area 304 in such a way that any changes to the video area 304 (such as brightness or contrast) cannot in turn affect the control panel 310. If this was the case, for example, by reducing the brightness of the video area 304, the control panel 310 would also be reduced in brightness thereby adversely affecting the ability of the user to view and otherwise use the control panel 310. This fact merely reinforces the Applicants belief that the video data and the web based data not be integrated.

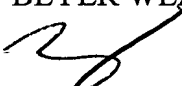
Independent claims 6, 7, 8, and 11 recite essentially the same scope as claim 1 and are therefore also allowable over the cited art for at least the reasons cited for claim 1. All dependent claims depend either directly or indirectly from claims 1, 6, 7, 8, and 11 and are therefore also allowable over the cited art.

The Examiner also rejected other claims under U.S.C. 103 as being unpatentable under Killian in view of Alexander and further in view of U.S. Patent 5,594,510 issued to Sakakibara which describes a method for tuning the channel of broadcasting waves and identifying channel plan by applying memorized frequency data (see Title). Accordingly, Sakakibara adds nothing to the Killian or Alexander references with regards to rendering claims 1 – 10 obvious which moves the Applicant to contend that claims 1 – 10 are allowable over Killian and Sakakibara, taken singly or in any combination.

CONCLUSION

In view of the foregoing, it is respectfully submitted that all pending claims are allowable over the art of record. Should the Examiner believe that a further telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
BEYER WEAVER THOMAS LLP



Michael J. Ferrazano
Reg. No. 44,105

P.O. Box 778
Berkeley, CA 94704-0778
Telephone: (650) 961-8300